

**CITY COUNCIL, CITY OF ROCKFORD**  
**JOURNAL OF PROCEEDINGS**  
**MARCH 28, 2011**  
**COUNCIL CONVENED AT 6:21P.M.**

1. The invocation was given by Chaplain Robert Lewis, St. Luke Missionary Baptist Church/Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:  

Mayor Lawrence J. Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Absent: Hervey, McNeely -2-
3. Alderman Mark moved to accept the Journal of Proceedings of March 21, 2011, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Hervey, McNeely absent).

**PUBLIC PARTICIPATION**

4. Prophet Yusef offered suggested to reduce crime in Rockford by 75%.
5. Nancy Gdowski spoke in opposition of continuing the 1% sales tax as a funding mechanism for road and infrastructure repair.
6. Former Alderman Victory Bell emphasized the importance of partnerships with the Re-development Project of the Barber Coleman Building, expressed his opinion of the River District Association Memorandum dated March 15, 2011 and presented a FOID request for information pertaining to several City funded organizations.

**PETITIONS AND COMMUNICATIONS**

7. Alderman Curran read a letter from John Mecklenberg regarding an award that Swedish American Foundation received regarding the hospital's commitment to neighborhood improvements.
8. Alderman Johnson submitted an e-mail from Dale Vorndran requesting pothole patching on Ohio Parkway and concerns regarding possible code violations at a home on Ohio Parkway. Referred to Public Works Department and Community Development/Code Enforcement.
9. Alderman Johnson submitted a Memorandum from Mark Rose, Land Acquisition Officer, regarding the proposed sale of city-owned vacant lot located at 614 North Avon Street. Referred to Code and Regulation Committee.
10. Alderman Thompson-Kelly submitted a request for information regarding the lot at Central and W. Jefferson Street (south/east corner). Referred to Legal Department/Mark Rose, Land Acquisition Officer.

13. Alderman Durkee submitted a letter from Al and Linda Kleen requesting removal of trees which have caused hazardous sidewalks due to the roots buckling them. Referred to Public Works Department.
14. Alderman Durkee submitted a request from Janet and Steven Norquist requesting repair of the deteriorated road near 1486 University Drive. Referred to Public Works Department.
15. Alderman Mark submitted a Memorandum from Patrick Hayes, Legal Director, regarding Out-of-State Credit Authorization for Reid Montgomery. Referred to Finance and Personnel Committee.
16. Alderman Robertson submitted a request from Carol Bennett, Hospice and Grief Center, in conjunction with National Volunteer Week, requesting permission for a temporary sign permit for a free-standing 8'x3' banner from April 10<sup>th</sup> through April 16<sup>th</sup>, 2011 at 4215 Newburg Road. Alderman Robertson moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Hervey, McNeely absent).

#### **NEW COMMITTEE REPORTS**

17. Alderman Johnson read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to allow a 2<sup>nd</sup> wall sign on the east elevation above the first floor on building one (1) in a C-1, Limited Office Zoning District at 6957 Olde Creek Road. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. Submittal of a Building Permit for Staff's review and approval.
  3. The wall sign must be on the east elevation and must be in accordance with Exhibits D and E.
  4. All of the conditions of approval for Variation #096-07; Ordinance #2008-006-O remain.

Approval is based on the Finding of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.
18. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for body art services consisting of tattooing in a C-4, Urban Mixed-Use Zoning District at 110 North 1<sup>st</sup> Street. Approval is subject to the following conditions:
  1. Meeting all Building and Fire Codes.
  2. Submittal of Building Permits for Staff's review and approval.
  3. The hours of operation and days will be limited to 10:00 am to 11:00 pm Monday through Wednesday.
  4. The hours of operation and days will be limited to 10:00 am to 11:00 pm Thursday through Saturday.

5. The hours of operation and days will be limited to 10:00 am to 6:00 pm Sunday.

Approval is based on the Finding of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

19. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Unit Development (Final) for a mixed use commercial development in the R-2, Two-family Residential District at 220 South Madison Street. Approval is subject to the following conditions:

1. That the uses within the building are limited to these listed on Exhibit D.
2. Prior to the establishment of any use of certificate of zoning compliance is required.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

20. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE a request for sale of liquor by the drink in conjunction with a sit down restaurant and outdoor patio in a C-4, Urban Mixed-Use District in the name of **Deuane Vandala d/b/a Kuma's Asian Bistro** (Rockford) at 420 E. State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcoholic beverages shall be in conjunction with a restaurant.
4. The hours of operation will be limited to 11:00 am to 9:00 pm Monday through Thursday.
5. The hours of operation will be limited to 11:00 am to 9:30 pm Friday through Saturday.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

#### **2011-082CR**

21. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for sale of liquor by the drink in conjunction with a sit down restaurant and outdoor patio, sale of liquor by the package in conjunction with a marina and gas sales in a C-4, Urban Mixed-Use District in the name of **Christopher Manuel d/b/a Brewhouse** at 200 Prairie Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance of business and security plan.
3. Outdoor music shall cease at 11:00 pm as indicated in Exhibit J
4. Submittal of a revised site plan including sidewalk for Riverwalk for Staff's review and approval.
5. Private security will be employed for concerts, DJ events and for other events where a cover is charged for entry into the establishment.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Hervey, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Beach voted no; Ald. Hervey, McNeely absent).

**2011-083CR**

22. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Banquet Facility in a C-4, Urban Mixed-Use District at 200 Prairie Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance of business and security plan.
3. Outdoor music shall cease at 11:00 pm as indicated in Exhibit J
4. Submittal of a revised site plan including sidewalk for Riverwalk for Staff's review and approval.
5. Private security will be employed for concerts, DJ events and for other events where a cover is charged for entry into the establishment.

Approval is based on the Finding of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Hervey, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Hervey, McNeely absent).

23. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Unit Development for two (2) office buildings and a Variation to omit a landscape type "A" buffer on the north and south sides of property and a Variation to allow an off-site signage rights for easterly lot following re-platting of property into two (2) lots with signage not to exceed sixty-four (64) square feet per side in a C-1, Limited Office District at 685 Featherstone. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a final plat for Staff's review and approval.
3. Submittal of a sign permit for Staff's review and approval.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Hervey, McNeely absent). Alderman Thompson-Kelly made a motion to lay the committee report over, seconded by Alderman Jacobson.

**2011-084CR**

24. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Zoning Map Amendment from R-1, Single-family Residential District to C-1, Limited Office District, a Special Use Permit to allow a roof mounted wind turbines as shown in exhibits up to approximately fifty (50) feet above grade and a Variation to allow additional building signage as shown on the attached exhibits in a C-1, Limited Office District at 1401 North Bell School Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a revised landscape plan including existing landscaping and proposed.
3. Parking lots and spaces are prohibited from being established off the fire-emergency access point which is north of the building and connected to North Bell School Road.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Hervey, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Hervey, McNeely absent).

**PETITIONS AND COMMUNICATIONS**

25. Alderman Mark submitted a request from Margie Mullins, Winnebago County Clerk and Nancy Strain, Executive Director City of Rockford Board of Elections, requesting permission for temporary closures of parking lanes at three (3) locations: Winnebago & Elm, Church & Elm and Court & Elm; Green Street in front of the Rockford Park District; and parking lane in front of 301 S. 6<sup>th</sup> Street on Tuesday, April 5, 2011. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Hervey, McNeely absent).

**NEW COMMITTEE REPORTS**

26. Alderman Mark read a Finance and Personnel Committee Report recommending the Engineering Agreement: Parmele St./Railroad Ave. Storm Sewer Improvements be made to Municipal Design & Environmental Services, Inc. to perform design engineering and construction inspection services for a total not to exceed cost of \$11,880.00. The funding for this project will come from Sales Tax funds under the 2011 City-Wide Drainage Category. LAID OVER.
27. Alderman Mark read a Finance and Personnel Committee Report recommending the Engineering Agreement: Well House 31 Solar Panel Installation be made to Homer L. Chastain & Associates to perform design engineering and construction services for a total not to exceed cost of \$53,596. The funding for this project will come from Water Operational funds. LAID OVER.

**2011-085CR**

28. Alderman Mark read a Finance and Personnel Committee Report recommending the award for Temporary Staffing Services be made to the Work Place for prices as shown on the attachment. The funding source is Departmental Operating Budgets.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. Hervey, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Hervey, McNeely -2-

**2011-086CR**

29. Alderman Mark read a Finance and Personnel Committee Report recommending a contract extension for the electricity supply for all non-franchise and non street light electricity accounts with Exelon for 0.0555 per kilowatt hour. The contract would have an expiration date of November 2013. The funding source is Departmental Operating Budgets.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. Hervey, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Hervey, McNeely -2-

30. Alderman Mark moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of March 28, 2011 in the amount of \$1,900,638.81. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Hervey, McNeely -2-

**OFFICERS REPORTS**

31. Mayor Morrissey presented a Proclamation proclaiming March 28, 2011 to be "ANDERSON PACKAGING OUTSTANDING VOLUNTEER RECOGNITION DAY" in Rockford, Illinois.
32. Mayor Morrissey presented a Proclamation proclaiming the week of March 28, 2011 to be "MONEY SMART WEEK" in Rockford, Illinois and encouraged all citizens to make themselves aware of the importance of financial literacy and take advantage of

programs and activities geared toward financial management and prosperity – this week and all year long.

33. Mayor Morrissey mentioned the Mayor's Youth Advisory Council (MYAC) will hold the 2011 Youth Summit "Better than the Best....Believe It! (B3) for high school aged youth on Saturday, April 16, 2011 from 9:00 am – 3:00 pm at City Hall, 425 East State Street.
34. Mayor Morrissey thanked federal, state and local partners for participating in the disaster training exercise in Rockford last week. He mentioned that he participated in classroom training sessions along with some department heads and senior officials. He stated that there will be future opportunities to participate in some training courses lead by Texas A & M training staff.
35. Mayor Morrissey mentioned a sign-up sheet for joint task force committees will be distributed closer to the annual committee selection process.
36. Alderman Thompson-Kelly invited the aldermen to attend the Community Action Agency Board Annual Report to the Community meeting on Monday, April 25, 2011 at 8:00 am at Midway Village.
37. Alderman Thompson-Kelly mentioned she has received several phone calls concerning the reduction in street lights and its impact on the community.
38. Alderman Thompson-Kelly thanked the Fire Union for their offer and suggested selecting a member from each caucus to participate in discussions and drafting a proposal for a counter-offer.
39. Alderman Thompson-Kelly thanked former Alderman Victory Bell for his comments regarding the Barber Coleman Project and voiced her disappointment and frustration with the opinions stated in the River District Association Memorandum dated March 15, 2011 addressed to the Rockford City Council Members.
40. Alderman Jacobson agreed with Alderman Thompson-Kelly's comments regarding the River District Association Memorandum.
41. Alderman Jacobson expressed his concern regarding the reduction in street lights with the recent rash of graffiti long Kishwaukee Street. He requested a copy of a map with proposed lighting reductions for his ward.

Mayor Morrissey noted the aldermen's concerns and directed them to work with Tim Hanson, Director of Public Works, to review the selection process of street lighting reduction.

Tim Hanson explained the process used to determine the 15% reduction in street lighting throughout the City as approved by the City Council. He stated he would provide a ward map of street lighting reductions to each alderman.

- 41a. Alderman Jacobson raised the question why street lighting fixtures would be removed?

Mayor Morrissey explained to achieve the greatest savings with this initiative; the fixtures will also be removed because the City pays to rent them.

44. Alderman Johnson raised the question would the light poles be removed as well?

Tim Hanson explained the light poles would remain in place.

45. Alderman Beach requested that each alderman be provided with a ward map of the proposed street lighting reduction.
46. Alderman Robertson thanked all the City staff that participated at the combined 14<sup>th</sup> Ward and 8<sup>th</sup> Ward quarterly meeting. He encouraged all voters to support the continuation of the 1% sales tax referendum to fund road and infrastructure projects.
47. Alderman Robertson mentioned Phil Rubin, Airport Board, was in attendance at the council meeting tonight.
48. Alderman Mark reported recently the Signal Hill Neighborhood Association did a lighting survey and found over the years several street lights have been added.
49. Alderman Mark eagerly anticipates the opening of the Nicholas Conservatory and Gardens project and thanked the Nicholas family for their contributions to our community. He did however, expressed his disappointment with the choice of using an artist from Colorado to draw the Muriel, instead of giving a local or regional artist the opportunity to showcase their talent.

### **UNFINISHED BUSINESS**

#### **2011-087CR**

50. Alderman Johnson moved the adoption of a Codes and Regulations Committee Report recommending that "No Action" be taken on the following items:
1. Request from Aziz Muhanna to establish a "Commercial Loading Zone" Monday-Saturday, 6:00 am -6:00 pm on the north side of West State Street from 42 feet to 61 feet west of Winnebago Street.
  2. Request from Juana Gonzalez-Koeneke for restricted parking on one side of Lori Drive from Lisa Drive to Kimball Road.
  3. Request from Steven Warren for angle parking in the cul-de-sac 300 feet east of 25<sup>th</sup> Street.
  4. Request from Lane Ury for restricted parking on one side of Napoleon Street from Main Street to Church Street.

MOTION PREVAILED (Ald. Curran voted no; Ald. Hervey, McNeely absent).



**2011-088CR**

51. Alderman Johnson moved the adoption of a Codes and Regulations Committee Report recommending that City Council approve the amendments to hours for Sunday sale of liquor.

Alderman Curran made a motion to amend the closing time from 2:00 am to 12:00 (midnight) on Sundays, motion failed for lack of a second.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Elyea, Beck, Robertson -9-  
Nays: Curran, Timm, Beach -3-  
Absent: Hervey, McNeely -2-

**2011-089CR**

52. Alderman Mark moved the adoption of a Finance and Personnel Committee Report recommending the award for the Engineering Agreement Amendment: Bridge Program Management be made to H.R. Green Co., Inc. for an additional \$25,000.00 for a total not to exceed cost of \$125,000.00 for bridge inspection, design review, agency advocacy, and other tasks relating to the City's Bridge programs. The funding source is Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Hervey, McNeely -2-

**2011-090CR**

53. Alderman Mark moved the adoption of a Finance and Personnel Committee Report recommending the award for Engineering Agreement: Biennial Bridge Inspection 2011-2012 be made to H.R. Green Co., Inc. for a total not to exceed cost of \$96,254.05. The project includes, the biennial inspection of the bridges under the City's jurisdiction including digital documentation completion of IDOT forms, update of the City's bridge database, and a summary of required repairs. The funding source is Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Hervey, McNeely -2-

**MOTIONS AND RESOLUTIONS**

**2011-025R**

54. Alderman Thompson-Kelly, on behalf of the Planning and Development Committee, moved for the adoption of a Resolution that the City of Rockford hold a Public Hearing on the expansion of the boundaries of Enterprise Zone Number One, and to provide

additional tax incentives, be held on Thursday, April 14, 2011, at 3:00 pm, at the Leadership Learning Academy, 1907 Kishwaukee Street, Rockford, Illinois. MOTION PREVAILED (Ald. Hervey, McNeely absent).

**2011-026R**

55. Alderman Johnson, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, requesting permission from the Illinois Department of Transportation (IDOT) for temporarily regulate Highway 251, a State Highway in the City of Rockford, from Y Boulevard to Cottage Avenue from 1:00 pm to 2:00 pm on May 14, 2011 for the A.B.A.T.E. Motorcycle Parade. MOTION PREVAILED (Ald. Hervey, McNeely absent).

**2011-027R**

56. Alderman Johnson, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for a special event permit for the OSF Heritage Fun Event on Sunday, April 17, 2011 at 1:00 pm; the route will begin at Elm and Wyman Street. MOTION PREVAILED (Ald. Hervey, McNeely absent).

**2011-028R**

57. Alderman Johnson, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for a special event permit for Rockford Sharefest's Walk-a-Thon Event on Saturday, April 30, 2011 from 6:00 am to 2:00 pm at Davis Park. MOTION PREVAILED (Ald. Hervey, McNeely absent).

**2011-029R**

58. Alderman Johnson, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for a special event permit for Liberty Baptist Church's Easter Family Celebration on Sunday, April 24, 2011 from 10:00 am to 2:00 pm at 3500 Preston Street. MOTION PREVAILED (Ald. Hervey, McNeely absent).

**2011-030R**

59. Alderman Mark, on behalf of the Finance and Personnel Committee, moved the adoption of a resolution authorizing the Central Services Manager to take bids/proposals for the following:

A. Bid: Weed Abatement/Community Development, funding source: Code Enforcement Operating Budget

B. Bid: Fuel Pump Replacement at City Yards, funding source: Garage Fund

C. Bid: Water Operations Center Men's Restroom Improvements, funding source: Water Division Operating Budget

D. Bid: Mowing Well Houses, funding source: Water Operating Budget

E. RFP: Parking Management system Software, funding source: Parking Fund

MOTION PREVAILED (Ald. Hervey, McNeely absent).

## NEW BUSINESS

### 2011-034-O

60. Alderman Johnson introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendment shall serve as City council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

#### **Brewhouse Leasing and Management Company d/b/a Prairie Street Brewhouse**

located at 200 Prairie Street for the sale of liquor by the drink in conjunction with a sit-down restaurant and outdoor patio, sale of liquor by the package in conjunction with a marina and gas sales is approval. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance of business and security plan.
3. Outdoor music shall cease at 11:00 pm as indicated in Exhibit J
4. Submittal of a revised site plan including sidewalk for Riverwalk for Staff's review and approval.
5. Private security will be employed for concerts, DJ events and for other events where a cover is charged for entry into the establishment.

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Hervey, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Elyea, Beck, Robertson -11-  
Nays: Beach -1-  
Absent: Hervey, McNeely -2-

### 2011-035-O

61. Alderman Johnson introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a Banquet Facility in a C-4, Urban Mixed-Use District at 200 Prairie Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance of business and security plan.
3. Outdoor music shall cease at 11:00 pm as indicated in Exhibit J
4. Submittal of a revised site plan including sidewalk for Riverwalk for Staff's review and approval.
5. Private security will be employed for concerts, DJ events and for other events where a cover is charged for entry into the establishment.

Approval is based on the Finding of Fact.

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Hervey, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Hervey, McNeely -2-

**2011-036-O**

62. Alderman Johnson introduced and read an Ordinance amending Article 21-001, Article 63 and Article 64 of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment for R-1, Single-Family Residential District to C-1, Limited Office District; and Special Use Permit to allow roof mounted wind turbines as shown in exhibits up to approximately fifty (50) feet above grade; and a Variation to allow additional building signage as shown on the attached exhibits in a C-1, Limited Office District at 1401 North Bell School Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a revised landscape plan including existing landscaping and proposed.
3. Parking lots and spaces are prohibited from being established off the fire-emergency access point which is north of the building and connected to North Bell School Road.

Approval is based on the Findings of Fact.

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Hervey, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Hervey, McNeely -2-

**2011-037-O**

63. Alderman Johnson introduced and read an Ordinance amending Article 20 and Article 51 of the City of Rockford Zoning Code for the Zoning Text Amendment to Section 201, Use Classification Table & Section 51-002 Signs Not Permitted.

Section 20-1 Use Classification Table:

Two-family Structures – Legally established and originally constructed as evidenced by the original building permit, prior to *insert date of map update approval*, with a minimum lot size of 7.700 square feet to be continued to be permitted uses in the R-1, Single-family Residential Zoning District.

Section 51-002:

Signs not permitted, to include signs that are obscene (i.e. (a) whether the average person, applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest, (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and (c) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value).

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Hervey, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck, Robertson -11-  
Nays: Elyea -1-  
Absent: Hervey, McNeely -2-

**2011-038-O**

64. Alderman Johnson introduced and read an Ordinance for the Comprehensive Zoning Map Update with multiple zoning amendments for City Wide Zoning Map.

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Hervey, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Hervey, McNeely -2-

65. Upon motion duly made and seconded, the meeting was adjourned at 7:43 p.m.

Respectfully submitted,

Diane Reed  
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

**CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS**  
**City Council Chambers, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**April 4, 2011**  
**6:00 P.M.**  
**AGENDA**

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)

**I. NEW COMMITTEE REPORTS TO BE READ IN APRIL 4, 2011**

**A. CODE AND REGULATIONS**

1. Beck – March Traffic Commission – Traffic control sign at the intersection of Dawson Avenue and Jackson Street.
2. Beck - Proposed Sale of City-Owned Vacant Lot/614 N. Avon St.
3. Beck - Bars on Windows of Storefronts
4. Beck - ZBA#002-11 Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic display billboard in a C-3, General Commercial Zoning District at 1311 South Alpine Road
5. Beck - 11-LAB-002 Request for the Sale of Packaged Liquor in conjunction with a gas station in a C-2, Limited Commercial District at 3135 North Rockton Avenue

**UNFINISHED BUSINESS**

**II. COMMITTEE REPORTS LAID OVER MARCH 28, 2011**

1. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Unit Development for two (2) office buildings and a Variation to omit a landscape type "A"

buffer on the north and south sides of property and a Variation to allow an off-site signage rights for easterly lot following re-platting of property into two (2) lots with signage not to exceed sixty-four (64) square feet per side in a C-1, Limited Office District at 685 Featherstone. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a final plat for Staff's review and approval.
3. Submittal of a sign permit for Staff's review and approval.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

2. Beck - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to allow a 2<sup>nd</sup> wall sign on the east elevation above the first floor on building one (1) in a C-1, Limited Office Zoning District at 6957 Olde Creek Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a Building Permit for Staff's review and approval.
3. The wall sign must be on the east elevation and must be in accordance with Exhibits D and E.
4. All of the conditions of approval for Variation #096-07; Ordinance #2008-006-O remain.

Approval is based on the Finding of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

3. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for body art services consisting of tattooing in a C-4, Urban Mixed-Use Zoning District at 110 North 1<sup>st</sup> Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of Building Permits for Staff's review and approval.
3. The hours of operation and days will be limited to 10:00 am to 11:00 pm Monday through Wednesday.
4. The hours of operation and days will be limited to 10:00 am to 11:00 pm Thursday through Saturday.
5. The hours of operation and days will be limited to 10:00 am to 6:00 pm Sunday.

Approval is based on the Finding of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

4. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Unit Development (Final) for a mixed use commercial development in the R-2, Two-family Residential District at 220 South Madison Street. Approval is subject to the following conditions:

1. That the uses within the building are limited to these listed on Exhibit D.
2. Prior to the establishment of any use of certificate of zoning compliance is required.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

5. Beck - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE a request for sale of liquor by the drink in conjunction with a sit down restaurant and outdoor patio in a C-4, Urban Mixed-Use District in the name of **Deuane Vandala d/b/a Kuma's Asian Bistro** (Rockford) at 420 E. State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcoholic beverages shall be in conjunction with a restaurant.
4. The hours of operation will be limited to 11:00 am to 9:00 pm Monday through Thursday.
5. The hours of operation will be limited to 11:00 am to 9:30 pm Friday through Saturday.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

6. Hervey - Finance and Personnel - Recommending the Engineering Agreement: Parmele St./Railroad Ave. Storm Sewer Improvements be made to Municipal Design & Environmental Services, Inc. to perform design engineering and construction inspection services for a total not to exceed cost of \$11,880.00. The funding for this project will come from Sales Tax funds under the 2011 City-Wide Drainage Category.
7. Hervey - Finance and Personnel - Recommending the Engineering Agreement: Well House 31 Solar Panel Installation be made to Homer L. Chastain & Associates to perform design engineering and construction services for a total not to exceed cost of \$53,596. The funding for this project will come from Water Operational funds.

- Motions and Resolutions

**III. NEW BUSINESS** (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

1. Beck – Ordinance – Amendments to hours for Sunday sale of liquor.

\* same action taken before

- Adjournment



\* \* \* \* \*

### **POSSIBLE ADDITIONAL ITEMS:**

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

#### **CODE AND REGULATION COMMITTEE**

**Monday, April 4, 2011, 5:15 p.m.**

**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**

#### **AGENDA**

1. C & R 11-32 March Traffic Commission – No Action on Traffic Control at Intersection of Dawson Avenue and Jackson Street
2. C & R 11-37 Proposed Sale of City-Owned Vacant Lot/614 N. Avon St.
3. C & R 11-35 Bars on Windows of Storefronts
4. C & R 11-20 ZBA#002-11 Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic display billboard in a C-3, General Commercial Zoning District at 1311 South Alpine Road
5. C & R 11-29 11-LAB-002 Request for the Sale of Packaged Liquor in conjunction with a gas station in a C-2, Limited Commercial District at 3135 North Rockton Avenue
6. C & R 11-38 Closed Session for Purposes of Pending or Threatening Litigation

#### **FINANCE AND PERSONNEL COMMITTEE**

**Monday, April 4, 2011, 5:15 p.m.**

**Conference Room B, City Hall 2<sup>nd</sup> floor (south room)**

#### **AGENDA**

1. Purchasing and Vouchers
  - A. Award of Sole Source Contract: Chlorine Gas Emergency Shut Off Valve
  - B. Award of Contract: Architectural Weatherization Services
  - C. Award of Bid: Rockford Junction Track Improvements – Suspend rules
  - D. Resolution to take Bids/Proposals
  - E. Vouchers

2. Out-of-State Service Credit Authorization

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, April 4, 2011, \_\_\_\_\_ p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

No Meeting Scheduled.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, April 4, 2011, \_\_\_\_\_ p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

No Meeting Scheduled.